

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**BMID9814US**

In Re Application Of: **ENDL, Josef, et al.**

Serial No.  
**09/786,040**

Filing Date  
**February 28, 2001**

Examiner  
**To Be Assigned**

Group Art Unit  
**To Be Assigned**

Invention: **HUMAN MONOCLONAL ANTIBODIES TO THE ISLET CELL ANTIGEN IA-2**

**RECEIVED**

**JAN 0 7 2002**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

**TECH CENTER 1600/2900**

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

                      
*Date*

Enclosed herewith for filing are the following:

- ☐ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

**Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed April 17, 2001 (1pp);  
Preliminary Amendment (1pp) including clean copy of claims (4pp); and  
Return postcard.**

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**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

The fee of **\$560** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0877**.  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0877**.  
A duplicate copy of this sheet is enclosed.

  
*Signature*

Dated: **July 17, 2001**

**Marilyn L. Amick, Reg. No. 30,444  
Roche Diagnostics Corporation  
9115 Hague Road, Bldg. D  
P.O. Box 50457  
Indianapolis, IN 46250-0457  
Telephone No.: (317) 521-7561  
Facsimile No.: (317) 521-2883**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

Express Mail Label No.: **EL 841983963 US**

cc:

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No. **7/2/02**  
BMID9814US

In Re Application Of: **ENDL, Josef, et al.**

Serial No.  
**09/786,040**

Filing Date  
**February 28, 2001**

Examiner  
**To Be Assigned**

Group Art Unit  
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Invention: **HUMAN MONOCLONAL ANTIBODIES TO THE ISLET CELL ANTIGEN IA-2**

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Box Missing Parts

**JAN 07 2002**

**TECH CENTER 1600/2900**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☒ Total number of independent claims = 7

\$320.00

☒ Total number of claims = 12

\$0.00

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath

\$130.00

☐ Petition and fee for filing by other than all the inventors or a person not the invention

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

07/20/2001 HNGUYEN 00000007 500877 09786040

Total completion of application fees \$450.00

01 FC:154 130.00 CH  
02 FC:115 110.00 CH  
03 FC:964 220.00 CH

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: June 17, 2001

Date

until: July 17, 2001

Date

Total time extension fees \$110.00

Total fees due \$560.00

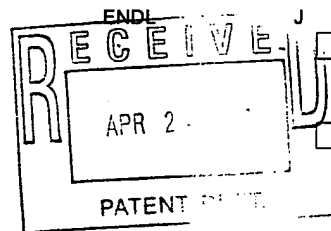


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786040		

MARILYN L. AMICK  
9115 HAGUE ROAD BUILDING D  
P O BOX 50457  
INDIANAPOLIS, IN 46250 0457



BMID9814US  
INTERNATIONAL APPLICATION NO.

PCT/EP99/06321

I.A. FILING DATE	PRIORITY DATE
27 AUG 99	01 SEP 98

DATE MAILED:

17 APR 2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917: unexecuted
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Tamala D. Holland

Telephone: 703-305-5483

FORM PCT/DO/EO/905 (March 2001)

4/24/01  
Response due 6/17/01  
(final 11/17/01)